

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

-vs-

WILLIAM E. GHINDA

Defendant

:
: CASE NO. 1: 05 CR 009
:
:
: Plaintiff
: ORDER GRANTING MOTION TO
: CONTINUE TRIAL AND SCHEDULING A
: HEARING ON DEFENDANT'S
: REQUEST FOR "APPROPRIATE
: REPRESENTATION"
:
:
: Defendant
:
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

On 11 January 2005, defendant William E. Ghinda was charged in a five-count criminal complaint. (ECF #6). The trial on those counts was continued on 25 February 2005. (ECF #15). On 16 May 2005, this Court held a hearing on Mr. Ghinda's motion for appointment of new counsel, which the Court granted. (ECF #22). On 17 May 2005, the Court appointed Lawrence Whitney as counsel to represent Mr. Ghinda. (ECF #24). On 13 June 2005, the Court granted Mr. Ghinda's motion to continue (ECF # 28), and scheduled a final pretrial in this matter for 30 August 2005, with the trial to commence on 6 September 2005. (ECF # 29).

Currently, before the Court is a motion for a status hearing on Mr. Ghinda's 16 August 2005 letter to the Court "requesting appropriate representation," which the Court has construed as a request for new counsel. (ECF # 33). To accommodate the

defendant's request and make an inquiry into the matter, the Court will convene a hearing on Thursday, 8 September 2005 at 9:30 a.m.

Additionally before the Court is Mr. Ghinda's motion to continue the final pretrial and trial, currently set for 30 August 2005 and 6 September 2005, respectively. (ECF # 33). Mr. Ghinda has asked his attorney to investigate new avenues of defense prior to trial, which counsel maintains will require more time than the current trial schedule would allow. Mr. Ghinda's counsel is prepared to address these defense issues at length at the 8 September 2005 Status Hearing. The government does not oppose the defendant's request for a continuance, nor does it oppose Mr. Ghinda's request for a status conference on the question of his representation.

The Court concludes that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial. Failure to grant a continuance would deny defense counsel in this case the reasonable time necessary to review strategies to ensure his adequate preparation in defense of his client at trial. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

Accordingly, the final pretrial conference and trial of this matter shall be continued. New dates for the final pretrial and trial shall be discussed, along with the issue of Mr. Ghinda's representation, on Thursday, 8 September 2005 at 9:30 a.m.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE